DENISE VOIGT CRAWFORD SECURITIES COMMISSIONER

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Texas State Securities Board

208 E 10th Street, 5th Floor Austin, Texas 78701-2407 www.ssb.state.tx.us

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JACK D LADD CHAIRMAN

BRIAN K. BROWN MEMBER

BETH ANN BLACKWOOD MEMBER

> WILLIAM R SMITH MEMBER

EDWARD ESCUDERO MEMBER

IN THE MATTER OF THE INVESTMENT ADVISER REGISTRATION OF MEDERICK L. SHAW D/B/A SMITH & SHAW INVESTMENT CO.

Order No. IC07-SUS-23

TO: Mederick L. Shaw d/b/a Smith & Shaw Investment Co. (IARD No. 134496) 5959 Watership Lane, # 828 Dallas, TX 75237

DISCIPLINARY ORDER

Be it remembered that Mederick L. Shaw d/b/a Smith & Shaw Investment Co. ("Respondent") appeared before the Securities Commissioner of the State of Texas ("Securities Commissioner") and consented to the entry of this Order and the Findings of Fact and Conclusions of Law contained herein.

FINDINGS OF FACT

- Respondent has waived (a) Respondent's right to notice and hearing in this matter; (b) Respondent's right to appear and present evidence in this matter; (c) Respondent's right to appeal this Order; and (d) all other procedural rights granted to the Respondent by The Securities Act, TEX. REV. CIV. STAT. ANN. art. 581-1 et seq. (Vernon 1964 & Supp. 2006)("Texas Securities Act"), and the Administrative Procedure Act, TEX. GOV'T CODE ANN. § 2001.001 et seq. (Vernon 2000 & Supp. 2006)("Administrative Procedure Act").
- 2. On or about August 19, 2005, Respondent registered with the Securities Commissioner as an investment adviser, which is currently effective.
- 3. From August 19, 2005 to November 6, 2007, Respondent listed Respondent's business address on the Application for Registration as an Individual Securities Dealer or Investment Adviser ("Form ADV") as 1700 Commerce Street, Suite 337, Dallas, Texas 75201.

- 4. On or about February 6, 2007, the staff of the Inspections & Compliance Division of the Texas State Securities Board (the "Staff") attempted to conduct an inspection of Respondent's business activities at 1700 Commerce Street, Suite 337, Dallas, Texas 75201. However, Respondent was no longer located at that address, and the Staff was unable to perform the inspection.
- 5. On or about January 19,2007, Respondent ceased business at 1700 Commerce Street, Suite 337, Dallas, Texas 75201 and moved to Respondent's current business address located at 5959 Watership Lane, # 828, Dallas, Texas, 75237.
- 6. Section 116.9(a)(6) of the Rules and Regulations of the Texas State Securities Board ("Board Rules") requires Respondent to report any change in information previously disclosed to the Securities Commissioner on any application form or filing, including the Form ADV, within thirty (30) days of such change.
- 7. After the Staff obtained additional contact information, the Staff inspected Respondent's books and records on or about August 1,2007.
- 8. On or about August 1, 2007, the Staff informed Respondent that Respondent's Form ADV did not reflect Respondent's current business address and that Respondent was required to update this information.
- 9. As of October 30, 2007, Respondent still had not amended the Form ADV to reflect Respondent's current business address.

CONCLUSIONS OF LAW

- 1. Respondent's failure to report the change in Respondent's business address as it is listed on Respondent's Form ADV within thirty (30) days of the change constitutes a violation of §116.9(a)(6) of the Board Rules.
- 2. Pursuant to Section 14.A(6) of the Texas Securities Act, the foregoing violation of a Board Rule constitutes a basis for the issuance of an order reprimanding and suspending Respondent.

ORDER

1. It is therefore ORDERED that Mederick L. Shaw d/b/a Smith & Shaw Investment Co. is hereby REPRIMANDED.

 It is further ORDERED that the registration of Mederick L. Shaw d/b/a Smith & Shaw Investment Co. with the Securities Commissioner is hereby SUSPENDED for a period of fifteen (15) business days.

SIGNED AND ENTERED BY THE SECURITIES COMMISSIONER this 3^{+4} day of _______, 2007.

Senise Voigt Crawford

DENISE VOIG CRAWFORD Securities Commissioner

Respondent:

Mederick L. Shaw d/b/a Smith & Shaw Investment Co.

Approved as to Form:

Sivley Benette L. Zivley

Director Inspections and Compliance Division

Ronak V. Patel

Attorney Inspections and Compliance Division

ACKNOWLEDGMENT

On the <u>b</u> day of <u>Normally</u>, 2007, Mederick L. Shaw dlbla Smith & Shaw Investment Co. ("Respondent") personally appeared before me, executed the foregoing Order, and acknowledged that:

- 1. Respondent has read the foregoing Order;
- 2. Respondent has been fully advised of Respondent's rights under the Texas Securities Act and the Administrative Procedure Act;
- **3.** Respondent knowingly and voluntarily consents to the entry of the foregoing Order and the Findings of Fact and Conclusions of Law contained therein; and,
- 4. Respondent, by consenting to the entry of the foregoing Order, has knowingly and voluntarily waived Respondent's rights as set forth therein.



[affix notary seal here]

Notary Public in and for the State of Texas

My commission expires on: Using 30, 2010